

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID SCOTT HARRISON,

Petitioner,

v.

CALIFORNIA BOARD OF PAROLE
HEARINGS, et al.,

Respondents.

Case No. [17-cv-04795-VC](#) (PR)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

Re: Dkt. No. 16

Petitioner David Scott Harrison filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On January 18, 2018, the Court issued an order explaining that the claims presented in the petition did not lie at the core of habeas corpus and should be filed, if at all, in a civil rights action. The Court allowed Harrison to either (1) have his petition construed as a civil rights complaint; or (2) withdraw his petition, in which case it would be dismissed without prejudice so that, if Harrison wished, he could file his claims in a new civil rights complaint.

On January 29, 2018, Harrison filed a notice that he wished to withdraw his petition and to file a civil rights complaint after he exhausts administrative remedies. Accordingly, the petition is dismissed without prejudice.

IT IS SO ORDERED.

Dated: February 14, 2018



VINCE CHHABRIA
United States District Judge